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EXAMINER

SCHNURR, JOHN R

ART UNIT	PAPER NUMBER
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2621

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/767,280

Applicant(s)

AOYAGI, MITSUTOSHI

Examiner

John R. Schnurr

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01/30/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01/30/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 10/767,280.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3. Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date
:09/19/2005,07/22/2004,01/30/2004.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statements (IDS) submitted on 09/19/2005, 07/22/2004 and 01/30/2004 were considered by the examiner.

Priority

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 10/767280, filed on 01/30/2004.

Claim Rejections – 35 USC 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claim 7** is rejected under 35 U.S.C. 102(e) as being anticipated by **Lee (US Patent Publication 2003/0110488**.

Lee clearly teaches:

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A television reception apparatus (FIG. 1 is a block diagram of an embodiment of the present invention for setting a TV environment, including an input unit 110, a receiving unit 120, a control unit 130, a memory unit 140, and a signal output unit 150. [0020]) comprising:

a broadcasting reception section (control unit 130) configured to select a video signal of a predetermined channel from received television broadcasting (Also, the control unit 130 sets a channel according to a preferred channel list stored in the memory unit 140. [0024]), apply predetermined signal processing to the selected video signal and display a corresponding signal (the control unit 130 sets signal output parameters of the elements of the signal output unit 150, that is, the image output unit 152, the audio output unit 154, and the OSD output unit 156, to environment parameters for each user stored in the memory unit 140. [0024]); and

a control section (control unit 130) configured to start the broadcasting reception section in such a state as to match an input password to a previously registered password. (The control unit 130 processes user authentication by receiving the ID and password from the input unit 110. If the user's password is the same as a prestored code, the control unit 130 sets signal output parameters of the elements of the signal output unit 150 [0024])

Claim Rejections – 35 USC 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.

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3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. **Claims 1, 2, 3, 4, 5, 6, 8, 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lee (US Patent Publication 2003/0110488** in view of **Soundararajan (US Patent Publication 2003/0084448)**.

Consider **Claim 1**, Lee clearly teaches:

A broadcasting reception apparatus (**FIG. 1 is a block diagram of an embodiment of the present invention for setting a TV environment, including an input unit 110, a receiving unit 120, a control unit 130, a memory unit 140, and a signal output unit 150. [0020]**) comprising:

an input section (**input unit 110**) configured to receive a password (**The control unit 130 processes user authentication by receiving the ID and password from the input unit 110. [0024]**);

a registration section (**memory unit 140**) configured to allow a plurality of such passwords to be registered (**The memory unit 140 stores operation environment parameters for each user, for example, a picture quality, color preference, sound effect, an OSD location, and preferred channel list information. [0023]**);

a broadcasting reception section (**control unit 130**) configured to have its starting (**Fig. 2, Password Match 224**) controlled on the basis of a result of comparison between the password registered in the registration section and any password input through the input section (**if the password authentication is successfully finished, the TV environment is set to a user environment that is stored in memory, in step 228 of FIG. 2. [0034]**);

a control section (**control unit 130**) configured to control setting contents (**control unit 130 sets signal output parameters of the elements of the signal output unit 150, that is, the image output unit 152, the audio output unit 154, and the OSD output unit 156, to environment parameters for each user stored in the memory unit 140. Also, the control unit 130 sets a channel according to a preferred channel list stored in the memory unit 140. [0024]**), at a starting time of the broadcasting reception section (**Fig. 2, Password Match 224**),

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However, Lee does not explicitly teach:

a storage section configured to gain information relating to a reception history with the broadcasting reception section in a started state; and

on the basis of the information relating to the reception history stored in the storage section.

In the same field of endeavor Soundararajan, which discloses a set top box for tracking user history and preferences, clearly teaches:

a storage section (**Fig. 2 database 250**) configured to gain information relating to a reception history with the broadcasting reception section in a started state (**As programming channels are selected, the time spent viewing (or recording) them is stored in database 250, and this information is used to create channel selection control lists that will be used to assist the viewer in controlling the channel selection process. [0035]**); and

at a starting time of the broadcasting reception section (**In another embodiment, the TV, when turned on, automatically displays first the most heavily weighted channel, with or without the menu also available for making an alternate selection. [0011]**), on the basis of the information relating to the reception history stored in the storage section. (**As programming channels are selected, the time spent viewing (or recording) them is stored in database 250, and this information is used to create channel selection control lists that will be used to assist the viewer in controlling the channel selection process. [0035]**)

Therefore, it would be obvious to a person of ordinary skill in the art at the time the invention was made to include the reception history gathering component of Soundararajan with the individual user environments of Lee. Lee teaches a preferred channel list, inputted by the user, to be included with the user environment parameters. By replacing this list with the automatically generated channel list of Soundararajan the system is able to automatically adapt to changes in user preferences without the need of user intervention.

Consider **Claim 2**, Lee clearly teaches:

A broadcasting reception apparatus according to claim 1 (**FIG. 1 is a block diagram of an embodiment of the present invention for setting a TV environment, including an input unit 110, a receiving unit 120, a**

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control unit 130, a memory unit 140, and a signal output unit 150. [0020])

However, Lee does not explicitly teach:

wherein the information relating to the reception history stored in the storage section contains any information on a channel on which broadcasting has been received and a date and week days thereon.

In the same field of endeavor Soundararajan, which discloses a set top box for tracking user history and preferences, clearly teaches:

wherein the information relating to the reception history stored in the storage section **(As programming channels are selected, the time spent viewing (or recording) them is stored in database 250, and this information is used to create channel selection control lists that will be used to assist the viewer in controlling the channel selection process. [0035])** contains any information on a channel on which broadcasting has been received **(Preferably, the stored information includes the identity of the channel itself (which could be the channel number known to the viewer, or some other identifier), including the source, and the duration for which the channel was viewed. In one embodiment, also recorded is information concerning the type of programming that was airing on the channel at the time it was being viewed. [0036])** and a date and week days thereon **(clock 240 provides the processor 230 with the actual time, day, date and year to use. [0032]).**

Consider **Claim 3**, Lee as combined with Soundararajan in the manner of claim 1 clearly teaches:

A broadcasting reception apparatus according to claim 1 **(FIG. 1 is a block diagram of an embodiment of the present invention for setting a TV environment, including an input unit 110, a receiving unit 120, a control unit 130, a memory unit 140, and a signal output unit 150. [0020] Lee)**, wherein the broadcasting section **(control unit 130 Lee)** has a mode under which starting **(Fig. 2, Password Match 224 Lee)** is controlled on the basis of the result of comparison between the password registered in the registration section and any password input through the input section **(If the user's password is the same as a prestored code, the control unit 130 sets signal output parameters of the elements of the signal output unit 150, that is, the image output unit 152, the audio output unit 154, and the OSD output unit 156, to environment**

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parameters for each user stored in the memory unit 140. [0024] Lee)
and a mode under which starting is controlled in response to the turning on of a power supply. **(when power is provided, the TV operates in the operation environment of a channel that is set to default values. [0027] Lee)**

Consider **Claim 4**, Lee as combined with Soundararajan in the manner of claim 1 clearly teaches:

A broadcasting reception apparatus according to claim 1 (**FIG. 1 is a block diagram of an embodiment of the present invention for setting a TV environment, including an input unit 110, a receiving unit 120, a control unit 130, a memory unit 140, and a signal output unit 150. [0020] Lee**), wherein the reception section (**control unit 130 Lee**) comprises a channel selection section configured to receive TV broadcasting and select video and audio signals on a predetermined channel (**Also, the control unit 130 sets a channel according to a preferred channel list stored in the memory unit 140. [0024] Lee**) and a signal processing section (**signal output unit 150 Lee**) configured to demodulate the video and audio signals on the channel selected by the channel selection section. (**the control unit 130 sets signal output parameters of the elements of the signal output unit 150, that is, the image output unit 152, the audio output unit 154, and the OSD output unit 156, to environment parameters for each user stored in the memory unit 140. [0024] Lee**)

Consider **Claim 5**, Lee clearly teaches:

A broadcasting reception apparatus according to claim 1 (**FIG. 1 is a block diagram of an embodiment of the present invention for setting a TV environment, including an input unit 110, a receiving unit 120, a control unit 130, a memory unit 140, and a signal output unit 150. [0020]**), wherein said control section (**control unit 130**) sets a reception channel (**Also, the control unit 130 sets a channel according to a preferred channel list stored in the memory unit 140. [0024]**) at a starting time of said broadcasting reception section (**Fig. 2, Password Match 224**)

However, Lee does not explicitly teach:

on the basis of the stored information of said storage section.

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In the same field of endeavor Soundararajan, which discloses a set top box for tracking user history and preferences, clearly teaches:

on the basis of the stored information of said storage section. **(As programming channels are selected, the time spent viewing (or recording) them is stored in database 250, and this information is used to create channel selection control lists that will be used to assist the viewer in controlling the channel selection process. [0035])**

Consider **Claim 6**, Lee clearly teaches:

A television reception apparatus (**FIG. 1 is a block diagram of an embodiment of the present invention for setting a TV environment, including an input unit 110, a receiving unit 120, a control unit 130, a memory unit 140, and a signal output unit 150. [0020]**) comprising:

a broadcasting reception section (**control unit 130**) comprising a channel selection section configured to receive television broadcasting and select a video signal of a predetermined channel (**Also, the control unit 130 sets a channel according to a preferred channel list stored in the memory unit 140. [0024]**),

a signal processing section (**signal output unit 150**) configured to apply predetermined signal processing to the video signal of the predetermined channel selected by the channel selection section (**the control unit 130 sets signal output parameters of the elements of the signal output unit 150, that is, the image output unit 152, the audio output unit 154, and the OSD output unit 156, to environment parameters for each user stored in the memory unit 140. [0024]**), and

a display section configured to display the video signal obtained by the signal processing section (**signal output unit 150**);

an input section (**input unit 110**) configured to receive a password as an input (**The control unit 130 processes user authentication by receiving the ID and password from the input unit 110. [0024]**);

a registration section (**memory unit 140**) configured to allow a plurality of such passwords to be registered therein (**The memory unit 140 stores operation environment parameters for each user, for example, a picture quality, color preference, sound effect, an OSD location, and preferred channel list information. [0023]**);

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a first control section (**Fig. 1 control unit 130**) configured to control starting of the broadcasting reception section (**Fig. 2, Password Match 224**) on the basis of a result of comparison between the password registered in the registration section and a password input via the input section (**If the user's password is the same as a prestored code, the control unit 130 sets signal output parameters of the elements of the signal output unit 150 [0024]**);

a second control section (**Fig. 1 control unit 130**) configured to control setting content (**control unit 130 sets signal output parameters of the elements of the signal output unit 150, that is, the image output unit 152, the audio output unit 154, and the OSD output unit 156, to environment parameters for each user stored in the memory unit 140. Also, the control unit 130 sets a channel according to a preferred channel list stored in the memory unit 140. [0024]**), at a starting time of the broadcasting reception section (**Fig. 2, Password Match 224**),

However, Lee does not explicitly teach:

a storage section configured to obtain information relating to a reception history with the broadcasting reception section in a started state and store the information in a way corresponding to the password; and

on the basis of the information relating to the reception history stored in the storage section.

In the same field of endeavor Soundararajan, which discloses a set top box for tracking user history and preferences, clearly teaches:

a storage section (**Fig. 2 database 250**) configured to obtain information relating to a reception history with the broadcasting reception section in a started state and store the information in a way corresponding to the password (**As programming channels are selected, the time spent viewing (or recording) them is stored in database 250, and this information is used to create channel selection control lists that will be used to assist the viewer in controlling the channel selection process. [0035]**); and

at a starting time of the broadcasting reception section (**In another embodiment, the TV, when turned on, automatically displays first the most heavily weighted channel, with or without the menu also available for making an alternate selection. [0011]**), on the basis of the information relating to the reception history stored in the storage section.

(As programming channels are selected, the time spent viewing (or recording) them is stored in database 250, and this information is used to create channel selection control lists that will be used to assist the viewer in controlling the channel selection process. [0035])

Therefore, it would be obvious to a person of ordinary skill in the art at the time the invention was made to include the reception history gathering component of Soundararajan with the individual user environments of Lee. Lee teaches a preferred channel list, inputted by the user, to be included with the user environment parameters. By replacing this list with the automatically generated channel list of Soundararajan the system is able to automatically adapt to changes in user preferences without the need of user intervention.

Consider **Claim 8**, Lee clearly teaches:

A broadcasting reception method using a broadcasting reception section (FIG. 1 is a block diagram of an embodiment of the present invention for setting a TV environment, including an input unit 110, a receiving unit 120, a control unit 130, a memory unit 140, and a signal output unit 150. [0020]) comprising

a channel selection section (control unit 130) configured to receive broadcasting and select a signal of a predetermined channel (Also, the control unit 130 sets a channel according to a preferred channel list stored in the memory unit 140. [0024]), and

a signal processing section (signal output unit 150) configured to apply predetermined signal processing to the signal selected at the channel selection section (if the password authentication is successfully finished, the TV environment is set to a user environment that is stored in memory, in step 228 of FIG. 2. [0034]), comprising:

registering a password (Referring to Fig. 2; the master generates an ID for the other users and sets environments for the user, in step 248. [0036]);

inputting any password (The control unit 130 processes user authentication by receiving the ID and password from the input unit 110. [0024]);

controlling a starting of the broadcasting reception section (control unit 130) on the basis of a result of comparison between the input password and the registered password (The control unit 130 processes user authentication by receiving the ID and password from the input unit

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110. If the user's password is the same as a prestored code, the control unit 130 sets signal output parameters of the elements of the signal output unit 150 [0024]);

and storing the information in such a way as to correspond to the password **(The memory unit 140 stores operation environment parameters for each user, for example, a picture quality, color preference, sound effect, an OSD location, and preferred channel list information. [0023]); and**

controlling setting content **(control unit 130 sets signal output parameters of the elements of the signal output unit 150, that is, the image output unit 152, the audio output unit 154, and the OSD output unit 156, to environment parameters for each user stored in the memory unit 140. Also, the control unit 130 sets a channel according to a preferred channel list stored in the memory unit 140. [0024]) at the starting time of the broadcasting reception section (Fig. 2, Password Match 224)**

However, Lee does not explicitly teach:

obtaining information relating to a reception history with the broadcasting reception section in a started state

on the basis of the stored reception history.

In the same field of endeavor Soundararajan, which discloses a set top box for tracking user history and preferences, clearly teaches:

obtaining information relating to a reception history with the broadcasting reception section in a started state **(Program selection control list 257 is compiled according to a predetermined algorithm and based on information concerning the amount of time a user spends watching each particular channel, as stored in the viewing history 259. [0033])**

at a starting time of the broadcasting reception section **(In another embodiment, the TV, when turned on, automatically displays first the most heavily weighted channel, with or without the menu also available for making an alternate selection. [0011]), on the basis of the stored reception history. (As programming channels are selected, the time spent viewing (or recording) them is stored in database 250, and this information is used to create channel selection control lists that will be used to assist the viewer in controlling the channel selection process. [0035])**

Therefore, it would be obvious to a person of ordinary skill in the art at the time the invention was made to include the reception history gathering component of Soundararajan with the individual user environments of Lee. Lee teaches a preferred channel list, inputted by the user, to be included with the user environment parameters. By replacing this list with the automatically generated channel list of Soundararajan the system is able to automatically adapt to changes in user preferences without the need of user intervention.

Consider **Claim 10**, Lee as combined with Soundararajan in the manner of claim 8 clearly teaches:

A broadcasting reception method according to claim 8 (**FIG. 1 is a block diagram of an embodiment of the present invention for setting a TV environment, including an input unit 110, a receiving unit 120, a control unit 130, a memory unit 140, and a signal output unit 150. [0020]**), wherein said registering comprises

making a selection as to whether or not a mode for starting the broadcasting reception section is set in accordance with an power-on operation of a power supply (**if the authenticated password is the master ID, in step 226, the master environment for managing all user IDs and passwords is set, in step 242. [0036]**) and,

if said starting mode is selected in accordance with the power-on operation of the power supply, making a selection as to whether or not any additional registration of a password under said mode is to be effected. (**At this time instead of logging out, in step 244, if another user environment setting key is input, in step 246, the master generates an ID for the other users and sets environments for the user, in step 248. Also, the master may delete user IDs and environments. [0036]**)

8. **Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (US Patent Publication 2003/0110488 in view of Soundararajan (US Patent Publication 2003/0084448) in view of Monteiro et al. (US Patent 7,080,153).**

Lee combined with Soundararajan as in claim 8, clearly teaches:

A broadcasting reception method according to claim 8 (**FIG. 1 is a block diagram of an embodiment of the present invention for setting a TV environment, including an input unit 110, a receiving unit 120, a**

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control unit 130, a memory unit 140, and a signal output unit 150. [0020]), wherein said registering comprises

making a selection as to whether or not the registration of any password has been effected, (Fig. 2, Other User Environment Setting 246)

receiving any input password in such a state that the registration of the password is selected, (Fig. 2, 248)

a step of, if the input password has not been duplicated by being already registered, recording that password in a memory. (Using the master ID, an ID and operation environment for each user can be stored in the memory. [0026])

However, Lee combined with Soundararajan as in claim 8, does not explicitly teach:

if the input password is duplicated by being already registered, effecting a display to that effect, and

In the same field of endeavor Monteiro et al., which discloses a a method of registering user passwords, clearly teaches:

if the input password is duplicated by being already registered, effecting a display to that effect, (After the User has selected a name and password and selected the option to register, the User computer opens a TCP connection to the Administration Server. Advantageously, the full domain name of the Administration Server is embedded into the User software, although it could be discovered in other ways. The User and Administration Server then exchange version objects with the Administration Server as described above. If the version numbers meet expectations, the User sends a User Object to the Administration Server. The format of the User Object is shown in Table 1. Once the Administration Server receives the User Object, it verifies that the information is filled in properly and that the selected User name is unique. If the User Object is invalid for any reason, the Administration Server returns a Result Message Object with a code indicating the reason. Column 13 Lines 52-67) and


Therefore, it would be obvious to a person of ordinary skill in the art at the time the invention was made to check if the requested user password is already registered, as disclosed in Monteiro et al., when registering users of the system disclosed in Lee and Soundararajan. This will prevent the duplication of user identifiers thus preventing confusion about which account belongs to which user.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John R. Schnurr whose telephone number is (571) 270-1458. The examiner can normally be reached on Monday - Friday, 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on (571) 272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JRS


PATRICK N. EDOUARD
SUPERVISORY PATENT EXAMINER